UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

GENESIS REALTY GROUP, REPUBLIC INVESTMENT COMPANY, EPIC PROPERTIES, and FOUR-H DEVELOPMENT CORPORATION, a single integrated enterprise

and

Case 02-CA-101989

JOHAN DE LOS SANTOS and MODESTO DE LOS SANTOS

ORDER1

The Employers' petition to revoke subpoenas duces tecum B-707266 and B-707267 is denied. The subpoenas seek information relevant to the matter under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employers have failed to establish any other legal basis for revoking the subpoenas.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir.

To the extent that the Employers may have provided some of the material requested in the subpoenas duces tecum, they are not required to produce that information again, provided that the Employers accurately describe which documents under subpoena they have already provided, state whether those previously-supplied documents constitute all of the requested documents, and provide all of the information that was subpoenaed.

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

In denying the Employers' petition to revoke, we consider the subpoenas as modified by the Region's statement in its opposition to the petition to revoke, that (1) the Regional Director will withdraw paragraphs 1 and 2 of subpoena duces tecum B-707266 if Genesis Realty Group stipulates that it derives revenues in excess of \$500,000, and purchases goods and services valued in excess of \$5,000 directly from suppliers located outside the State of New York, and (2) the Regional Director will withdraw paragraphs 1 and 2 of subpoena duces tecum B-707267 if Epic Properties LLC stipulates that it derives revenues in excess of \$500,000, and purchases goods and services valued in excess of \$5,000 directly from suppliers located outside the State of New York.

1996); NLRB v. Carolina Food Processors, Inc., 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., September 11, 2013.

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER